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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/235,065	01/21/1999	GREGORY A. DENTON	660001.477	5226

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 02/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/235,065	DENTON ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Thjuan P Knowlin	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 21 January 1999 .

2a)  This action is FINAL.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-66 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-66 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 12 January 2000 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.      6)  Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
2. Claims 1-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Breneman et al (US 5,974,135).
3. In regards to claims 1, 5, 10, 15, 17, 20, 25, 31, 34, 38, 42, 46, 50, 56, and 61, Breneman discloses a method for transferring data and telephone calls, comprising: receiving a transfer request having a destination and data from an application associated with a telephone call; establishing a communications link with the destination; transferring the data to the destination using the communication link; and requesting that the telephone call associated with the application be transferred to the destination (col. 3 lines 10-27, col. 5 lines 47-58, col. 20-21 lines 66-9, and col. 22 lines 47-52).

4. In regards to claim 2, Breneman discloses the method, wherein the transfer request is received by a flow object that includes routines for establishing the communications link with a flow connection module at the destination (col. 5 lines 47-58, col. 8 lines 19-25, and col. 20 lines 55-62).
5. In regards to claims 3, 18, 32, 43, 44, 57, and 60, Breneman discloses the method, further comprising: receiving a call transfer notification from the destination; and disconnecting the communications link with the destination after receiving the call transfer notification (col. 5 lines 51-58 and col. 19 lines 46-59).
6. In regards to claims 4, 6, 19, 21, 30, 33, 45, 55, and 58, Breneman discloses the method, further comprising: obtaining an available destination address prior to establishing the communications link with the destination (col. 20-21 lines 66-5).
7. In regards to claims 7, 16, 22, 35, 47, 59, and 62, Breneman discloses the method, wherein receiving the transfer request further comprises: creating an instance of a flow connection object for the transfer request; and adding the data to the flow connection object (col. 3 lines 10-27, col. 5 lines 47-58, col. 8 lines 19-25, and col. 20 lines 55-62).
8. In regards to claims 8, 9, 23, 24, 36, 37, 48, 49, 64, and 65, Breneman discloses the method, wherein establishing the communications link utilizes at least one computer-to-computer communication protocol (col. 1 lines 45-61).
9. In regards to claims 11, 26, and 51, Breneman discloses the method, wherein the request to transfer the telephone call is sent in a format suitable for receipt by a

computer-telephone interface ("CTI") link to a private branch exchange ("PBX") (col. 18 lines 52-60 and col. 22 lines 47-52).

10. In regards to claims 12, 13, 27, 28, 39, 40, 52, 53, 63, and 66, Breneman discloses the method, further comprising: receiving client information from a database, wherein the client information comprises the data in the transfer request (col. 6 lines 55-58 and col. 13 lines 58-64).

11. In regards to claims 14, 29, 41, and 54, Breneman discloses the method, wherein if the telephone call is disconnected, a disconnect message is sent to the destination (col. 19 lines 46-59 and col. 20 lines 55-65).

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Friedes (US 5,444,774) teaches an interactive queuing system for call centers. Darland et al (US 6,229,819) teach an advanced intelligent network gateway that allows communication between telecommunications network component that use different protocols.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

15. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Thjuan P. Knowlin  
January 30, 2002



AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600